

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) CASE NO:06-20185
D-1 ROY WEST) HON. VICTORIA A. ROBERTS
Defendant.)

**MOTION TO FILE SUPPLEMENTAL MEMORANDUM IN SUPPORT OF MOTION
TO SUPPRESS WIRETAP EVIDENCE, OR, IN THE ALTERNATIVE FOR AN
EVIDENTIARY HEARING AND EXHIBITS UNDER SEAL**

Now comes the defendant, Roy West, through his attorneys, Byron H. Pitts and Keith Spielfogel, and moves this Honorable Court for the entry of an order that he be permitted to file his Supplemental Memorandum In Support of Motion to Suppress Wiretap Evidence and exhibits under seal. In support of said motion defendant states to the Court as follows:

1. The supplemental memorandum to be filed with the court contains information obtained from two unredacted affidavits filed in support of the wiretap applications for 330-752-5529. The court, in ordering the production of these affidavits, instructed that the redacted material contained in the affidavits should not be publicly disclosed (Doc. 281);
2. In support of the supplemental memorandum, movant will be submitting the two unredacted affidavits as exhibits;
3. In order to comply with the requirements of the court's previous order, the supplemental memorandum and exhibits must be filed under seal.

WHEREFORE, defendant respectfully moves this Honorable Court for an order

permitting him to file the above referenced documents under seal.

Respectfully submitted,

s/Byron H. Pitts (P59079)

s/Keith Spielfogel (IL 2689537)

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CERTIFICATE OR SERVICE

I hereby certify that on the 27th day of June, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Elizabeth Stafford at the U.S. Attorneys Office.

s/Keith Spielfogel
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